

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Public Service Commission
Practice and Procedure
Rulemaking**

Case No. AD-17-49

**PUBLIC SERVICE COMMISSION STAFF TESTIMONY
PROTECTION OF INFORMATION**

March 15, 2017

My name is Patrick Fahn. I am the Director of the Public Utilities Division of the Public Service Commission.

The purpose of this testimony is to describe the proposed administrative rule changes to North Dakota Administrative Code chapter 69-02-09 pertaining to procedures for protecting information from disclosure.

Current rules prescribe protection for certain information filed by telecommunications companies in the annual report to the commission required under 69-09-05-12.1. Information protected without the need for the originator to file an application, without the need for staff analysis, and without further action by the commission includes detailed information concerning telecommunications infrastructure projects and detailed information regarding service outages.

This proposed rule change extends this "prescribed" protection to those two information types contained in any filing with the commission, and expands this prescribed protection to disaggregated data on provisioned volumes of local services by service type and local exchange, disaggregated data on provisioned volumes and associated revenue of switched access traffic by jurisdiction or local exchange, and

any financial information that is protected by a Federal Communications Commission Protective Order.

The Commission receives 80 or more filings each year that contain some or all of these information types. The proposed rule regarding information that both the industry and the Commission have found should be protected; and removing the requirement to file an application, the requirement for staff analysis, and the requirement for a Commission decision each time these types of information are filed; will result in a more efficient administrative process and will save resources for both the regulated community and the agency.

This concludes my testimony.

Thank you.